

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: Chief Executive Office

BOARD AGENDA: 5.B.8  
AGENDA DATE: July 30, 2024

**SUBJECT:**

Approval and Acceptance of the Public Defender Staffing and Caseload Analysis Report and Approval for the Public Defender to Temporarily Double-Fill up to Five Attorney V Positions Through December 31, 2024

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2024-0415**

On motion of Supervisor Withrow ----- Seconded by Supervisor Chiesa -----  
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, C. Condit, and Chairman Grewal -----


Noes: Supervisors: None -----

Excused or Absent: Supervisors: B. Condit -----

Abstaining: Supervisor: None -----

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

**MOTION:**

  
\_\_\_\_\_  
ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:5.B.8  
AGENDA DATE: July 30, 2024

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Approval and Acceptance of the Public Defender Staffing and Caseload Analysis Report and Approval for the Public Defender to Temporarily Double-Fill up to Five Attorney V Positions Through December 31, 2024

**STAFF RECOMMENDATION:**

1. Approve and accept the Public Defender's staffing and caseload analysis report.
2. Authorize the Public Defender to temporarily double-fill up to five Attorney V positions through December 31, 2024.

**DISCUSSION:**

The Stanislaus County Public Defender's Office (PDO) provides legal representation for justice-involved indigent residents accused of crimes in Stanislaus County. It has an obligation under the U.S. and California Constitutions and statutes enacted by the California Legislature to provide effective assistance of counsel to each client individually, protecting their interests, ensuring advocacy, and achieving appropriate outcomes.

In late December, the PDO communicated serious staffing challenges to the Chief Executive Office, such that the Department was concerned about its capacity to continue accepting new cases. Attorney caseload volumes were cited as a reason why attorneys were leaving the office or declining job offers. To address the Department's concerns in the short term, the Chief Executive Office recommended, and the Board of Supervisors approved, a five-step plan on January 23, 2024 (Board Resolution 2024-0028) to address the Department's concerns. Below are the five steps and their respective outcomes.

Outcomes of Five-Step Plan

1. **Authorized the Public Defender to double-fill up to five positions for up to, but not to exceed, six months.** Five allocated Attorney I-V positions were identified for double-fill, and CEO-HR is assisting the department with actively recruiting for those positions at the Attorney IV-V level. Recommend authorizing an extension for the Public Defender to double-fill up to five allocated Attorney I-V positions through December 31, 2024.
2. **Benchmark comparable counties to assess program structure, staffing, attorney caseload ratios, District Attorney's (DA) Office to Public Defender's Office staffing ratios for each comparable county, and other**

**counties that have stopped accepting cases.** Ideally, comparing programs, staffing, and caseload/workload ratios would be beneficial to understanding how the Public Defender's Office measures up against comparable counties. However, benchmarking comparable counties proved to be unattainable because of the absence of viable data and differences in program structures and metrics used to develop an acceptable quantitative evaluation. The Stanislaus County Public Defender's Office also has limitations in reliably producing the necessary data to compare against other public defender offices. In the absence of reliable comparative data, staff elected to conduct a historical examination of the Public Defender's Office to gain perspective on past and present resource allocations and to identify contemporary challenges with a focus on short-term solutions to address the immediate needs of the office.

Challenges in gathering reliable and valid data necessary for sound quantitative analysis are not unique to the Central Valley. A 2022 California Legislative Analyst's Office (LAO) report titled *Assessing the Provision of Criminal Indigent Defense* found that California lacks information to assess indigent defense service levels because of wide-ranging differences in how public defense work is administered in each county. The report further identifies the limited and diverse metrics used and kept by public defender offices around the state. It also recognizes that the resulting comparative analysis would lack the quantitative rigor necessary to garner reliable comparative findings.

The Office of the State Public Defender released a report in early 2024 concluding that Stanislaus County should increase staffing "to meet the local norm as seen by comparator counties and ultimately the data-driven workload standards." The report does not identify a data source but appears to be referencing case filing numbers provided by the Judicial Council of California. As there is no mention of how the OSPD accounted for the varying use of conflict attorney panels or private attorneys between counties, it is not clear how the OSPD determined the data represents an accurate comparison between counties. Staff suspects the OSPD report lacks the same reliable comparative data staff and the LAO recognize as crucial when benchmarking across counties and assessed the report should not inform this analysis.

In recognition and response to the LAO report and various public defense workload studies, the state legislature is exploring options to establish statewide standards and improve oversight for indigent defense. In the current legislative session, SB 883 (Committee on Public Safety) extended a mandate to the Office of the State Public Defender (OSPD) to complete a public defense workload study and to produce its findings and recommendations to the legislature by January 1, 2025. Not knowing what standards may evolve from the legislature, if standards are formed, creates a challenge to commit to significant changes in local public defense standards. The CEO's Office supports establishing statewide data collection and reporting standards that can be used to support benchmarking between counties.

On October 4, 2022 (Board Resolution 2022-0547), the Board of Supervisors approved the Public Defender's Office to contract with Journal Technologies for the implementation of a new case management system (CMS). The new CMS is

expected to help modernize operations, create more automation, improve efficiencies, and generate reliable data metrics that may be used for informed decision-making, future comparative analysis, and workload evaluation. As the office's short-term and immediate needs are addressed, CMS data gathering will help provide the office with the capability to produce reliable metrics that may be critical to future applications of statewide indigent defense standards.

3. **Conduct a staffing vacancy rate and turnover analysis.** Staffing vacancy and turnover analysis determined attorney retention declined significantly from 2021 through 2023, resulting in high vacancy rates and imbalances of historical attorney composition needed to manage complex caseloads effectively. The causation of attorney turnover is unclear; however, as of June 28, 2024, there is a zero percent vacancy rate in the Attorney V classification, excluding the five double-filled positions, in the Public Defender's Office, and significant progress toward achieving historical attorney composition benchmarks.
4. **Explore securing additional contracted attorney services through a procurement process.** Conversations with General Services Agency Purchasing determined that a Request for Information (RFI) could be used to solicit attorneys interested in being included in the department's Conflict Attorney Panel (CAP), intending that all attorneys meeting the requisite qualifications would be added. The process would take approximately 4 to 6 weeks.
5. **Develop a collaborative agreement with the Court on the process if the PDO declares it is unavailable to accept new cases.** The Chief Executive Officer's Office, Public Defender, District Attorney, and County Counsel met with the Stanislaus Superior Court (Court) on Friday, February 23, 2024. The meeting outcome determined the Court would appoint counsel directly should the Public Defender be unable to accept further cases.

### Summary of Findings

The Public Defender's Office (PDO) seems to have experienced a confluence of circumstances likely responsible for its current condition. Although there is no empirical data to draw conclusions on caseloads/workloads, challenges reported by the office appear to have resulted from a variety of contributing factors:

- High attorney turnover produced elevated vacancy rates and unfavorable attorney staffing composition caused by a marked decline in the percentage of seasoned Attorney IV-V positions needed to manage more complex felony caseloads.
- Temporary caseload inflation appears to have resulted from the District Attorney (DA) filing a backlog of over 3,000 cases and fewer cases being sent to the CAP.
- Operational and administrative inefficiencies and inconsistent management engagement resulting from staff turnover, shifting assignments to meet work demands, and limited Chief Deputy Public Defender availability due to carrying heavy and complex caseloads.
- The ratio of Deputy District Attorneys to Public Defender Attorneys is at 1.6:1, below the historical benchmark of 1.7:1.

Hiring more senior attorneys should be a key strategy to improve the department's capacity. Any increase in attorney allocations should focus on relieving Chief Deputy Public Defenders of caseload to enhance the department's capacity to develop junior attorneys and improve operational efficiencies.

#### Future Staffing Recommendation Considerations

- It is recommended that the County consider allocating three Attorney I-V positions to relieve the three Chief Deputy Public Defenders of caseloads, allowing them to focus on developing junior attorneys and improving efficiencies within the office. By comparison, the Chief Deputies in the DA's Office do not carry caseloads.
- Consider an additional three Attorney I-V positions to be allocated as unfunded attorney trainee positions to match those the District Attorney's Office received in the 2023 Midyear Financial Report. Benefits of the positions include but are not limited to creating a ready pool of future attorneys, performing work designed to support trial attorneys, adding capacity to improve department efficiencies, and mitigating the impacts of attorney turnover.
- It is also recommended that the department consider the benefits of expanding the hiring of time-limited Attorney I-V positions, such as part-time extra help, to assist with mitigating the current temporary increase in caseload, support process improvements, training, and other administrative and operational management strategies to include implementation of the new CMS contingent upon appropriate funding availability.
- There is anecdotal evidence that suggests general increases in attorney workloads because of the legal complexities of contemporary cases, evidence review, and other factors may justify the addition of resources to the Public Defender's Office, provided there is available funding to support any additional increases in staffing.

#### Other Recommendations

In addition to the future staffing recommendations, the Chief Executive Office recommends consideration of the following:

- Hiring at the Attorney IV-V level exclusively until historical attorney staffing composition percentages are restored to the historical benchmark of 66% of attorneys capable of handling the most complex cases.
- Implementing alternate caseload management strategies to overcome the workload challenges presented by the District Attorney's Office's extra backlogged case filings and the resulting temporary increases in more labor-intensive felony caseloads. Historically, prior to the implementation of the Alternate Defender's Office when the County contracted out conflict cases, conflict firm contracts included provisions that sent 400 non-conflict cases to conflict firms. The Department could consider implementing a similar practice.
- Continue current efforts to review department structure, reporting lines, processes, technologies, and performance management to generate improvements in efficiencies and attorney support.

- Commissioning a study to assess operational models of other county public defender offices to identify process improvements, greater efficiencies, or other valuable information to help improve local performance.
- Reserving attorney workload analysis for future consideration pending completion of current recommendations and production of reliable data from the new CMS that can be applied to evolving indigent defense standards.

**POLICY ISSUE:**

This report follows Board Agenda Item 2024-0028 dated January 23, 2024, which set July 2024 as the date to report back to the Board of Supervisors with the included information. The Board of Supervisors may accept the Public Defender’s Office Staffing and Caseload Analysis Report.

**FISCAL IMPACT:**

Funding for the positions recommended for consideration was not considered part of the analysis. Additional work with the Department will be required to identify the financing of future positions.

The Department will manage the double-fill of Attorney V positions within existing appropriations.

There is no fiscal impact associated with the acceptance of the report.

**BOARD OF SUPERVISORS’ PRIORITY:**

The recommended action is consistent with the Board’s priorities of *Supporting a Strong and Safe Community* and *Delivering Efficient Public Services* by accepting the Public Defender’s Office Staffing and Caseload Analysis Report.

**STAFFING IMPACT:**

Funding for the positions recommended for consideration in this report was not considered. Any staffing adjustments will occur with the 2025 Adopted Budget after funding considerations have been made.

The recommendation will allow the Public Defender to continue to temporarily double-fill up to five Attorney V positions through December 31, 2024.

There are no other staffing impacts associated with the acceptance of this report.

**CONTACT PERSON:**

Ruben Imperial, Assistant Executive Officer

(209) 525-6333

**ATTACHMENT(S):**

1. Public Defender Staffing and Caseload Analysis Report

# BOARD OF SUPERVISORS BRIEFING

PUBLIC DEFENDER STAFFING AND CASELOAD ANALYSIS



JOSHUA A. WOOLWORTH & BERNIE LICATA  
CEO OFFICE | JUNE 2024

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**Issue:** The Public Defender (PD) believes there is a need to add attorneys to the department's staffing allocation to mitigate workload and the resulting high attorney turnover.

**Summary of Findings:** The increased stress reported by the office seems to have resulted from a variety of factors, including a temporary increase in cases due to the District Attorney (DA) clearing a backlog of cases, a temporary reduction in senior attorneys due to increased turnover at the senior attorney level, and reduced use of the conflict attorney panel (CAP). Additionally, the capacity of the Public Defender's Office has fallen behind the District Attorney's Office due to the addition of three unfunded attorney trainee positions and the use of Personal Service Contracts in the District Attorney's Office.

**Staffing Recommendations:**

1. Allocate three unfunded attorney trainees to match those provided to the District Attorney's Office.
2. Allocate three Attorney I-V positions to remove caseloads from the Chief Deputy Public Defenders.

**Other Recommendations:**

1. Exclusively hire at the Attorney IV-V level until traditional attorney staffing composition percentages are restored to the historical benchmark of 66% of attorneys capable of handling the most complex cases.
2. Consider implementing alternate caseload management strategies to overcome the workload challenges presented by the District Attorney's Office's extra backlogged case filings and the resulting temporary increases in more labor-intensive felony caseloads.
3. Review department structure, reporting lines, processes, technologies, and performance management to generate improvements in efficiencies and attorney support.

**Supporting Data:**

The analysis focused on the period after Proposition 47 was passed in November 2014, starting with the first full fiscal year of 2015-2016. References to Fiscal Year 2013-2014 are made for comparison purposes to show differences in how the office has operated.

**1. Staffing**

- a. PD attorney position allocations have grown from 25 in FY 2015-2016 to 27 as of May 1, 2024, while DA attorney position allocations have grown from 42 to 50 throughout the same period.
  - i. The ratio of DA attorneys to PD attorneys has averaged 1.7 DA attorney allocations per PD attorney allocation since Fiscal Year 2015-2016. Adding the three attorneys to relieve the Chief Deputy Public Defenders would improve the ratio to 1.6.
- b. Attorney IV and V positions handle the most complex cases in both offices.
  - i. The DA mix of attorneys has maintained at least 34% of attorneys at an Attorney IV or Attorney V level during this period, with a high in 2023 of 53.7% of attorneys as Attorney V and 14.8% as Attorney IV, or 68.5% of attorneys capable of handling the most complex cases.
  - ii. During the same period, the PD mix of attorneys dropped to a low of 28.5% as Attorney IV or Attorney V. As of May 1, 2024, the Department had 29.6% of attorneys as Attorney V and 18.5% as Attorney IV, or 48.1% of attorneys capable of handling the most complex cases.
- c. Personal Service Contracts (PSCs)

- i. The District Attorney's office has used PSC attorneys since Fiscal Year 2021-2022.
- ii. The Public Defender's office has not used PSC attorneys for cases since Fiscal Year 2021-2022.

## **2. Caseload**

- a. Prop 47 changed certain crimes formerly considered felonies into misdemeanors and was passed by voters in November 2014. Felony cases are more complex, requiring more time and attorney resources than misdemeanor cases.
  - i. In the last full fiscal year before the change (FY 2013-2014), the Public Defender's Office had 4,018 misdemeanor cases and 6,159 felony cases. In the first full fiscal year after the change (FY 2015-2016), the Department had 7,348 misdemeanor cases and 3,303 felony cases.
- b. From Fiscal Year 2015-2016, the first full fiscal year after Prop 47 was passed, total PD Cases fell from a high of 15,784 in FY 2015-2016 to a low of 11,193 in FY 20-21 and climbed up to 15,100 in FY 22-23, or a 4.5% decrease from Fiscal Year 2015-2016.
  - i. Over this period, the number of Felony cases increased from 3,303 to 3,851, and the number of Misdemeanor cases decreased from 7,348 to 6,069.
  - ii. Felony cases represented 20.3% of total cases in the PDs office in FY 2015-2016 and 25.5% in FY 2022-2023.
  - iii. Misdemeanor cases represented 45.1% of all cases in FY 2015-2016 and 40.2% in FY 2022-2023.
- c. The PD's Office had 14,708 cases in Fiscal Year 2013-2014, which is the last full fiscal year prior to Prop 47, of which 6,159 were felonies and 4,018 were misdemeanors. The Department had 23 allocated attorney positions in the year, handling 59.9% more felony cases than the 3,851 in Fiscal Year 2022-2023.
- d. The District Attorney's office cleared a backlog of cases estimated to exceed 3,000 in 2023.

## **3. Conflict Attorney Panel**

- a. Cases in which an ethical conflict exists for the PD's office to represent a client are sent to firms colloquially referred to as conflict firms.
- b. In FY 2015-2016, 3,361 cases were sent to the two conflict firms under contract with the county, with an additional unknown amount handled by additional firms that handled cases that conflicted out of the conflict firms.
- c. In FY 2022-2023, 2,521 cases were handled by the Alternate Defender's Office and the Conflict Attorney Panel.
  - i. This represents a 25% decrease in cases sent to conflict firms. During the same period, the PD's office saw a decline of 4.5% in total cases.
- d. Of the known cases, 23% of indigent cases were handled by firms other than the PD in FY 2015-2016, whereas 19.5% were managed by firms other than the PD in FY 2022-2023.

**Details of Recommendations:**

- 1. Exclusively hire at the Attorney IV-V level until traditional attorney staffing composition percentages are restored to the historical benchmark of 66% of attorneys capable of handling the most complex cases.**

The department has already engaged with CEO-HR to launch robust attorney recruiting campaigns aimed at specifically attracting and hiring at the Attorney IV-V level. Strategies were modeled after successful recruitment efforts with the District Attorney's Office in 2022-2023. Thus far, recruiting efforts have been successful, resulting in a rise in the allocated Attorney IV-V level positions from 39% to 57% and a reduction of the attorney vacancy rate from 11% to 0%. The department was authorized to double-fill five attorney positions, and recruitments are underway to fill those positions with Attorney IV-V level candidates. There are eight Attorney III staff who will be eligible for promotion to Attorney IV in the coming year, provided there are no performance issues. Barring significant turnover, Attorney IV-V composition percentages are projected to be restored at the historic 66% benchmark in 2025.

- A. Restoring the department to a favorable attorney staffing composition will better align the increased workload presented by felony cases with attorneys who possess the competencies necessary to manage the labor-intensive aspects of the felony caseload efficiently and effectively.
  - B. Hiring the five temporary double-fill attorney positions at the Attorney IV-V level may provide more immediate relief to the felony caseload by increasing the number of Attorney IV-V positions and elevating staffing composition levels from 57% to 63%. In addition, the added positions will lessen the operational impacts of potential attorney turnover.
  - C. Eight Attorney III incumbents may be eligible for promotion to Attorney IV over the coming year, creating a strong likelihood of increasing the Attorney IV-V composition above the 66% benchmark by 2025, with or without adding the five authorized temporary double-fill positions.
- 2. Consider implementing alternate caseload management strategies to overcome workload challenges presented by extra backlogged case filings by the District Attorney's Office and the resulting temporary increases to more labor-intensive felony caseloads.**

The passage of Proposition 47 during FY 2014-2015 is substantially responsible for driving the total number of Public Defender cases down from a high of 15,784 in FY 2015-2016 to a low of 11,193 in FY 2020-2021. In addition, the District Attorney's Office reports adding 3,000-5,000 backlogged cases to the Public Defender's caseload in FY 2021-2022 and 2022-2023, resulting from having to bank cases during its migration of case and document management files in FY 2020-2021. Public Defender caseload composition shifted from 20.3% felonies and 45.1% misdemeanors in FY 2015-2016 to 25.5% felonies and 40.2% misdemeanors in FY 2022-2023. A subsequent gradual increase in caseloads reached 15,100 recorded cases in FY 2022-2023, influenced by the District Attorney's Office's addition of backlogged cases, as noted above. Of significance, the shift in the percentage of felony cases does increase workloads resulting from the case management complexities supported by empirical studies conducted by the National Advisory Commission on Criminal Justice Standards (NAC) and the most recently published 2023 study conducted by the Rand Corporation.

The increase in Public Defender caseload contrasts with comparator counties that continue to experience an overall downward trend in cases. The Stanislaus County Public Defender felony caseload, in particular, fell from 6,159 cases in FY 2013-14 to 2,881 in FY 2016-17 and remained

relatively stable, ranging between 2,841 cases in FY 2017-18 to 3,140 cases in FY 2020-2021. Felony cases subsequently began to increase to 3,490 cases in FY 2021-2022 and 3,851 in FY 2022-2023, consistent with the introduction of the District Attorney's backlog of cases. The consistent pattern of a downward trend in Public Defender cases combined with the known infusion of the District Attorney case backlog supports increases in the Stanislaus County Public Defender's caseloads are likely temporary and substantially influenced by the backlogged cases noted above. According to the District Attorney, all the backlogged cases have been filed, and no future cases are anticipated.

Traditionally, the offices of the Public Defender and the District Attorney employ part-time extra help or personal services contract attorneys from time to time to help manage caseloads that exceed the capacity of the respective offices. Additionally, the ratio of District Attorney to Public Defender attorney allocations has averaged 1.7:1 since 2015. Adding three attorneys to relieve the Chief Deputy Public Defenders of caseload would improve this ratio to 1.6:1. As the District Attorney adds attorney resources, it increases its capacity to file cases that may negatively impact the Public Defender's caseload and workload. Historically, the county has endeavored to balance attorney resources between the District Attorney and Public Defender.

The Public Defender's Office is additionally burdened with identifying cases that present ethical representation conflicts and requires outsourcing those cases to its existing Alternate Defender's Office (ADO) and/or community Conflict Attorney Panels (CAP) (private law firms or individual attorneys contracted by the county to manage conflict cases). In FY 2015-2016, 3,361 cases (23% of all PD cases) were outsourced to CAP compared to 2,521 cases (19.5% of all PD cases) sent to the ADO and CAP in FY 2022-2023.

Permanent attorney position allocations should be determined by a variety of factors, including caseload numbers, types, and trends; workload analysis based on caseload composition, attorney competencies, and empirical workload benchmarks; and availability of attorney resources to manage the natural ebb and flow of cases influenced by the external environment such as crime, District Attorney case filings, and others. As noted above, the caseloads are trending downward; however, there is a temporary increase in cases filed by the District Attorney's Office to eliminate its backlog. As a result, it is most prudent to explore measures to manage the temporary influx of cases and conduct a more in-depth analysis of workload impacts on the attorney position allocation before committing to adding a specific number of permanent positions.

- A. Hire more part-time extra help attorneys to help manage the temporary influx of cases.
- B. Consider an additional three Attorney I-V positions to be allocated as unfunded attorney trainee positions to match those the District Attorney's Office received in the 2023 Midyear Financial Report. Benefits of the positions include but are not limited to creating a ready pool of future attorneys, performing work designed to support trial attorneys, adding capacity to improve department efficiencies, and mitigating the impacts of attorney turnover.
- C. Consider commissioning a study to assess operational models of other county public defender offices in an attempt to identify process improvements, greater efficiencies, or other valuable information to help improve local performance.

**3. Review department structure, reporting lines, processes, technologies, and performance management to generate improvements in efficiencies and attorney support.**

Meetings and discussions with the Public Defender helped identify a need to improve its structure, reporting lines, processes, technologies, and performance management. A study is underway to examine the value of adding an Assistant Public Defender into the department structure,

considering the current model with three Chief Deputy Public Defenders. The study will objectively evaluate whether to add a position, reclassify one of the Chief Deputy Public Defenders upward, or make no addition to the classification to Salary and Position Allocation Resolution. Currently, the Public Defender's Office is overburdened by administrative and operational responsibilities due to the Chief Deputy Public Defenders carrying a heavy and sophisticated caseload to compensate for the shortage of Attorney IV/V positions and the department's decision to refrain from outsourcing caseload conflict cases to CAP.

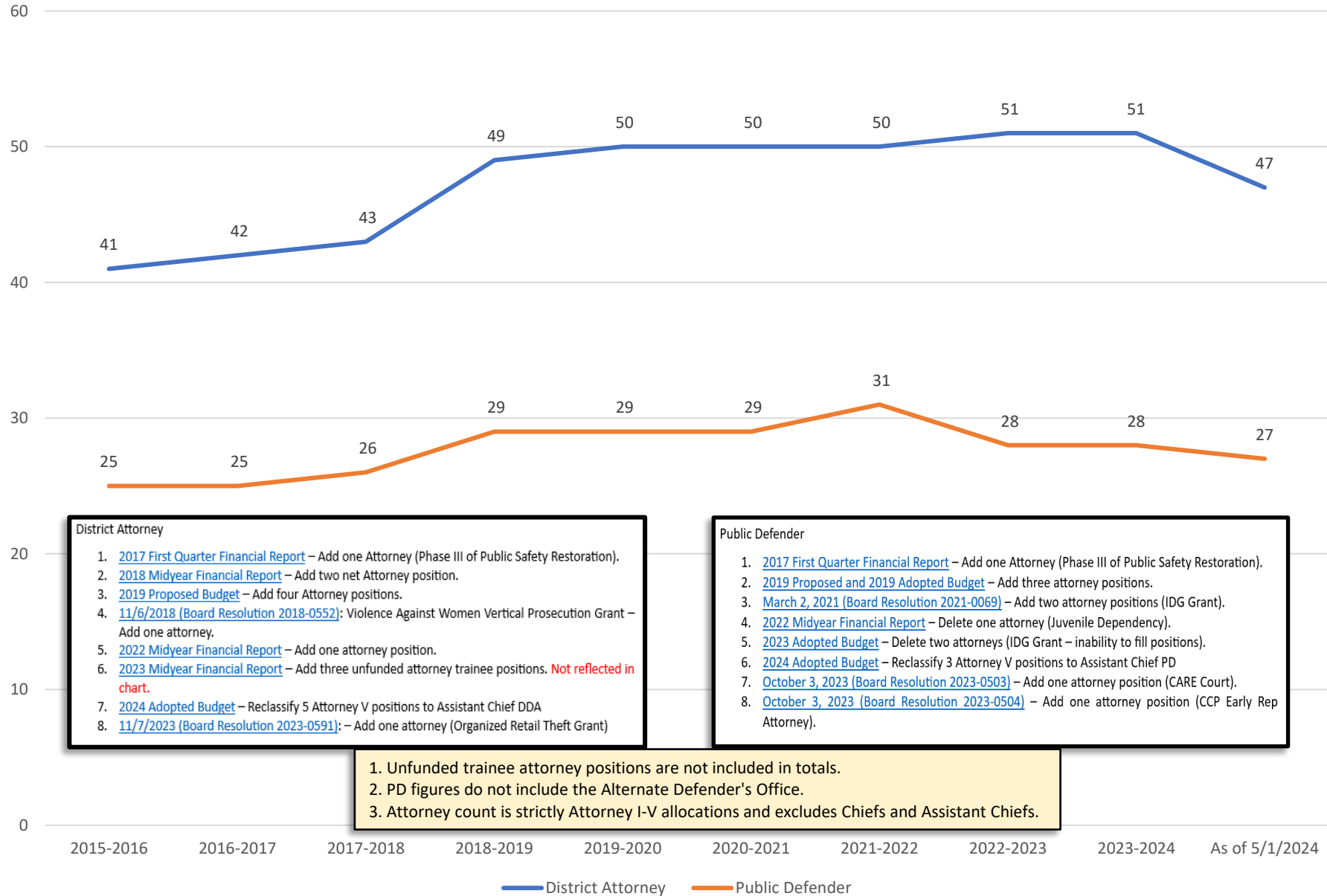
Operational and Administrative oversight, reporting lines, and management engagement are inconsistent, resulting from turnover, shifting assignments to meet work demands, and the lack of availability of the Chief Deputy Public Defenders. Management capacity deficits contribute to a spectrum of challenges directly affecting efficient operations, managerial controls, employee development and evaluation, and other common factors associated with management oversight. For example, the department failed to pay some invoices, renew contracts properly, and encountered an inordinate number of personnel matters related to performance management.

Processes suffer inefficiencies ascribable to staff doing work commensurate with lower classifications rather than providing the attorney support intended. For example, paralegal staff do Legal Clerk duties rather than critical functions such as legal research, writing motions, or other work that directly supports attorneys. The low percentage of Attorney IV-V staff and the limited availability of the Chiefs all contribute to the department's inability to deliver sufficient training, coaching, mentoring, and evaluation of employee performance. The result is limited staff capabilities, frustration by attorneys who cannot get the needed support to process caseloads efficiently, and subsequent impacts on stakeholders in the criminal justice system (clients, courts, DA, law enforcement, probation, etc.).

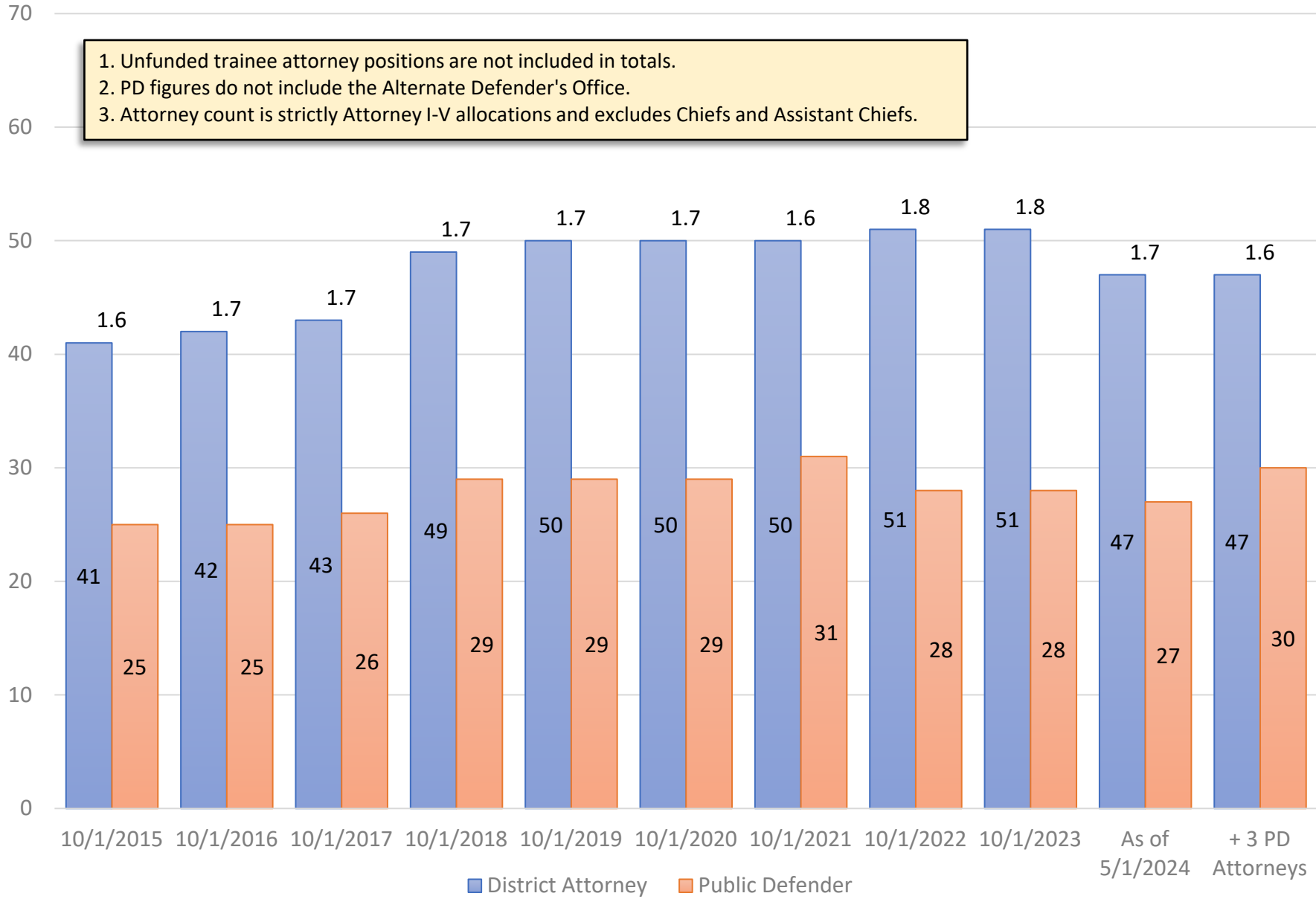
Finally, ICJIS technology limitations and paper handling cause high labor demand for manual data entry and data management and hampers the ability of the department to produce metrics important for informed decision-making and process improvements. The Public Defender already recognized this issue and has contracted to transition to a contemporary Case and Document Management System (CMS). Journal Technologies was awarded the contract and is currently engaged with the department to modernize its operations, create more automation, and improve efficiencies. Implementing the new technology will likely cause short-term staff inefficiencies in data migration, training, and process design.

- A. Complete the Assistant Public Defender classification study and determine impacts on the department structure, assignments, and responsibilities.
- B. Add three attorney position allocations to significantly reduce or eliminate caseloads currently carried by the Chief Deputy Public Defenders. The Chief Deputy District Attorneys do not have a caseload to allow for proper oversight of department administration and operations. Freeing the Chief Deputy Public Defenders of caseloads will enable opportunities to improve the current department structure, reporting lines, processes, technologies, and performance management challenges.
- C. Complete transition from ICJIS technology and manual data entry to newly purchased e-Defend software to improve efficiencies, processes, and data availability to make better informed operational decisions. The department should anticipate the new technology's short-term impacts and consider temporary staffing solutions.

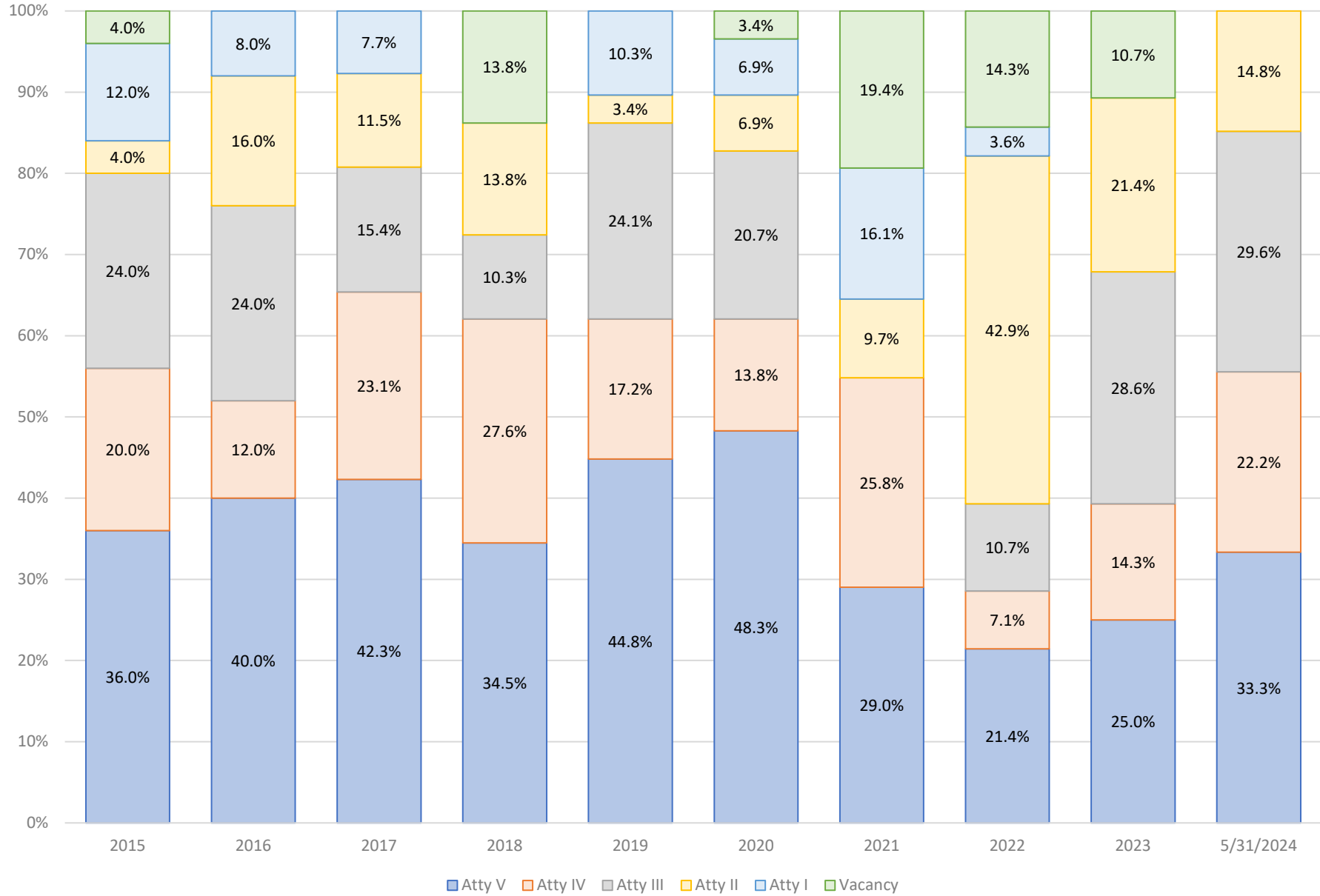
### Allocated Attorney Positions by Fiscal Year



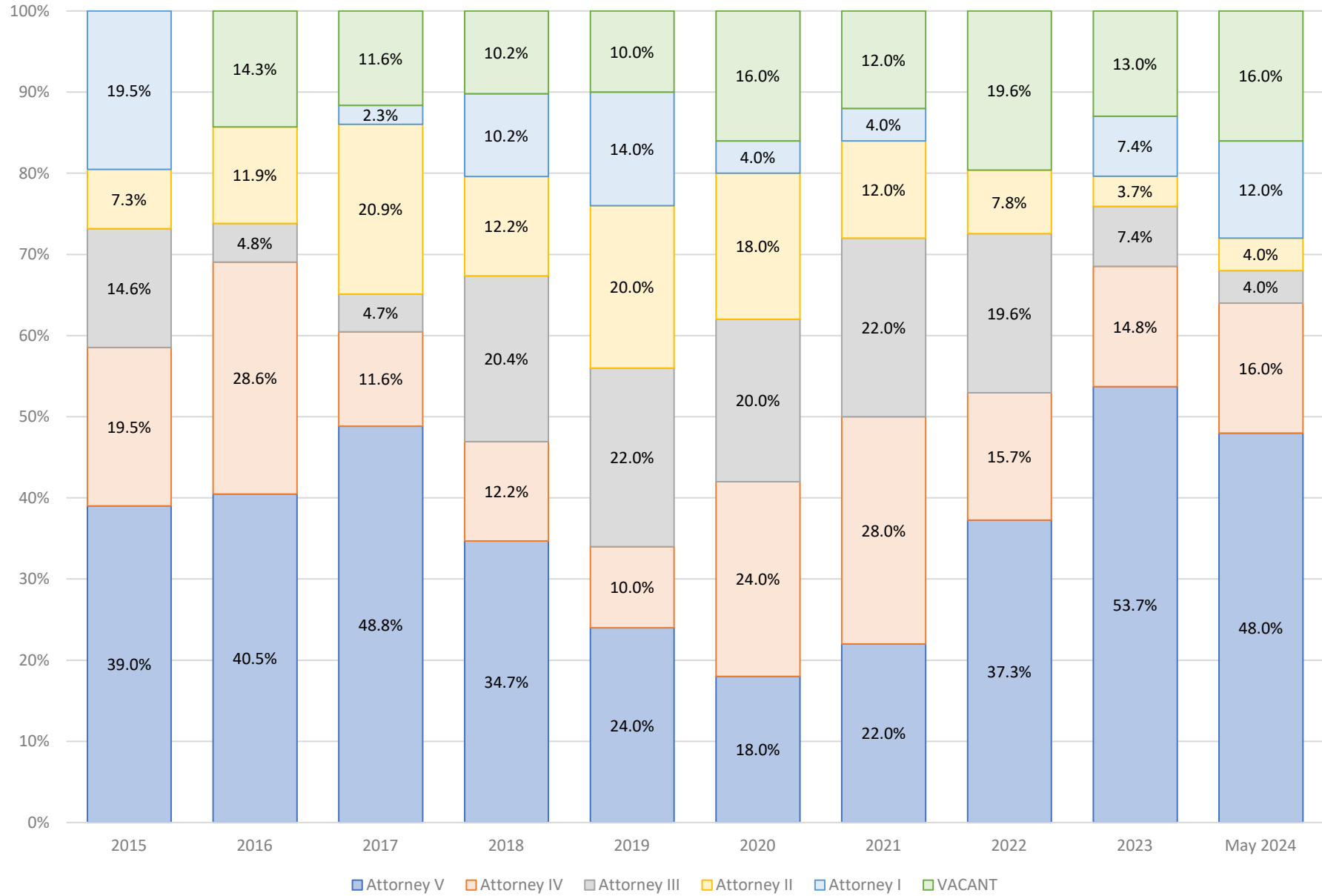
Ratio of Deputy Attorneys: District Attorneys per Public Defender Attorney



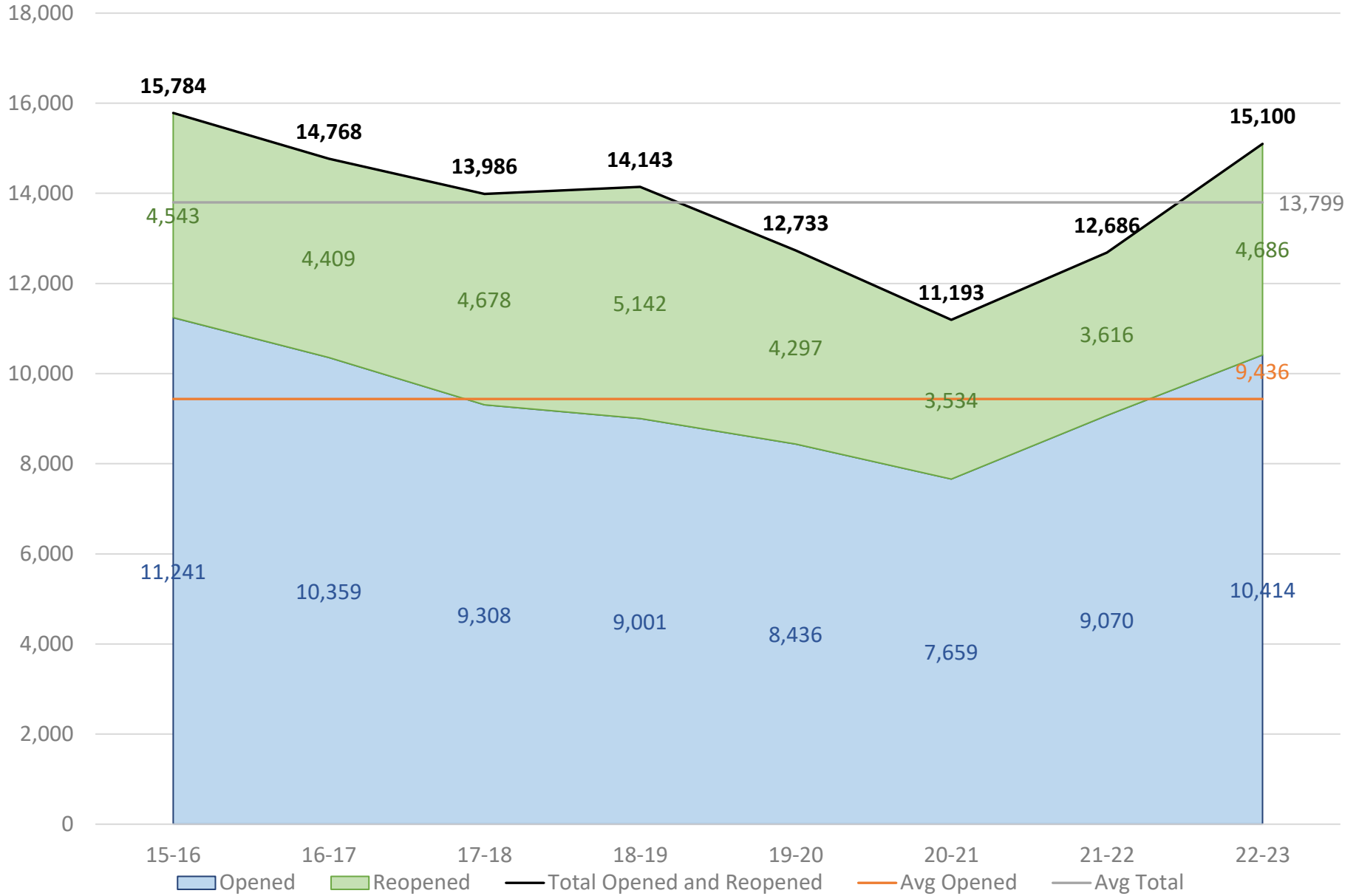
Public Defender Attorney Mix as of October 1 Each Year



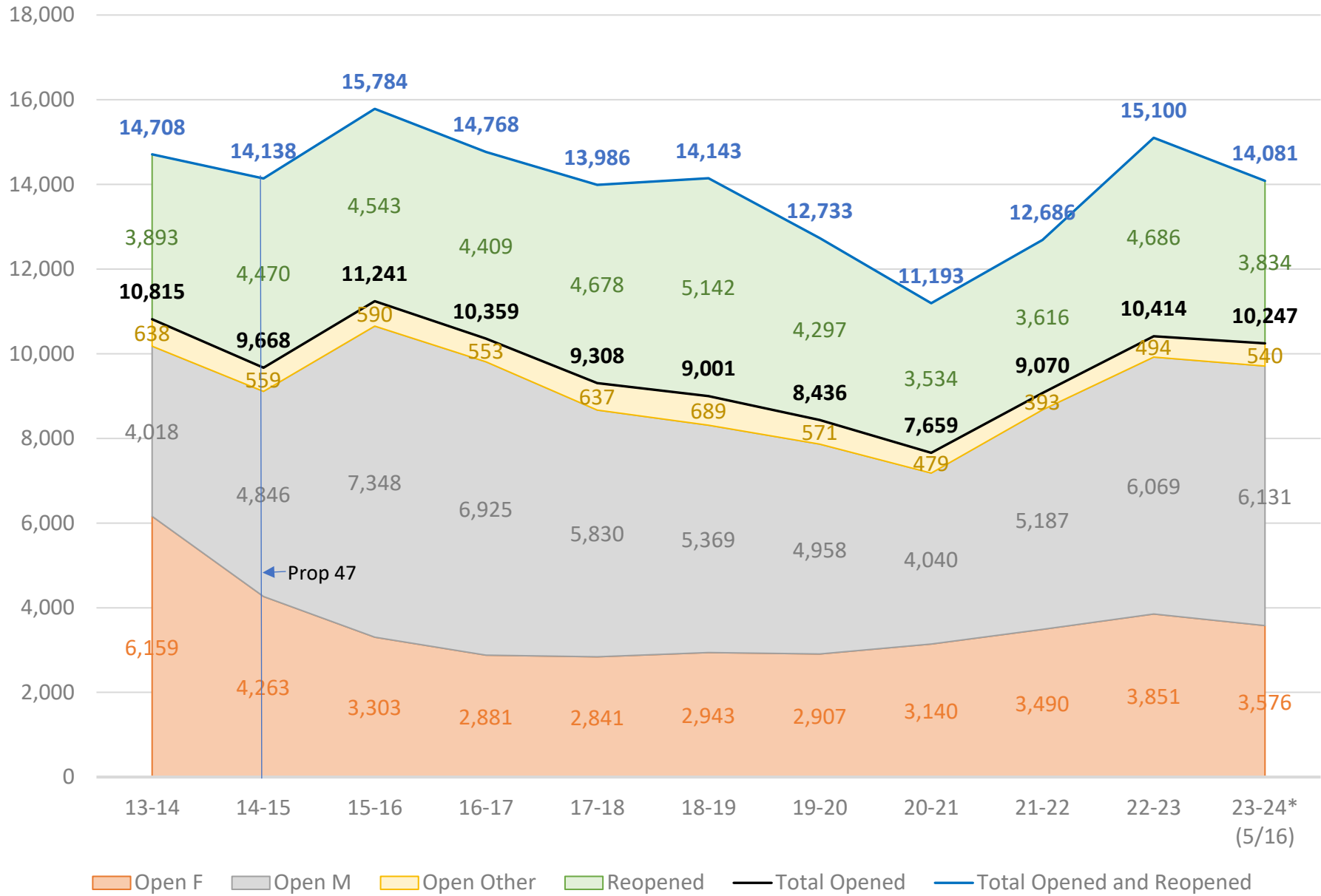
District Attorney Mix of Attorneys by October 1 Each Year



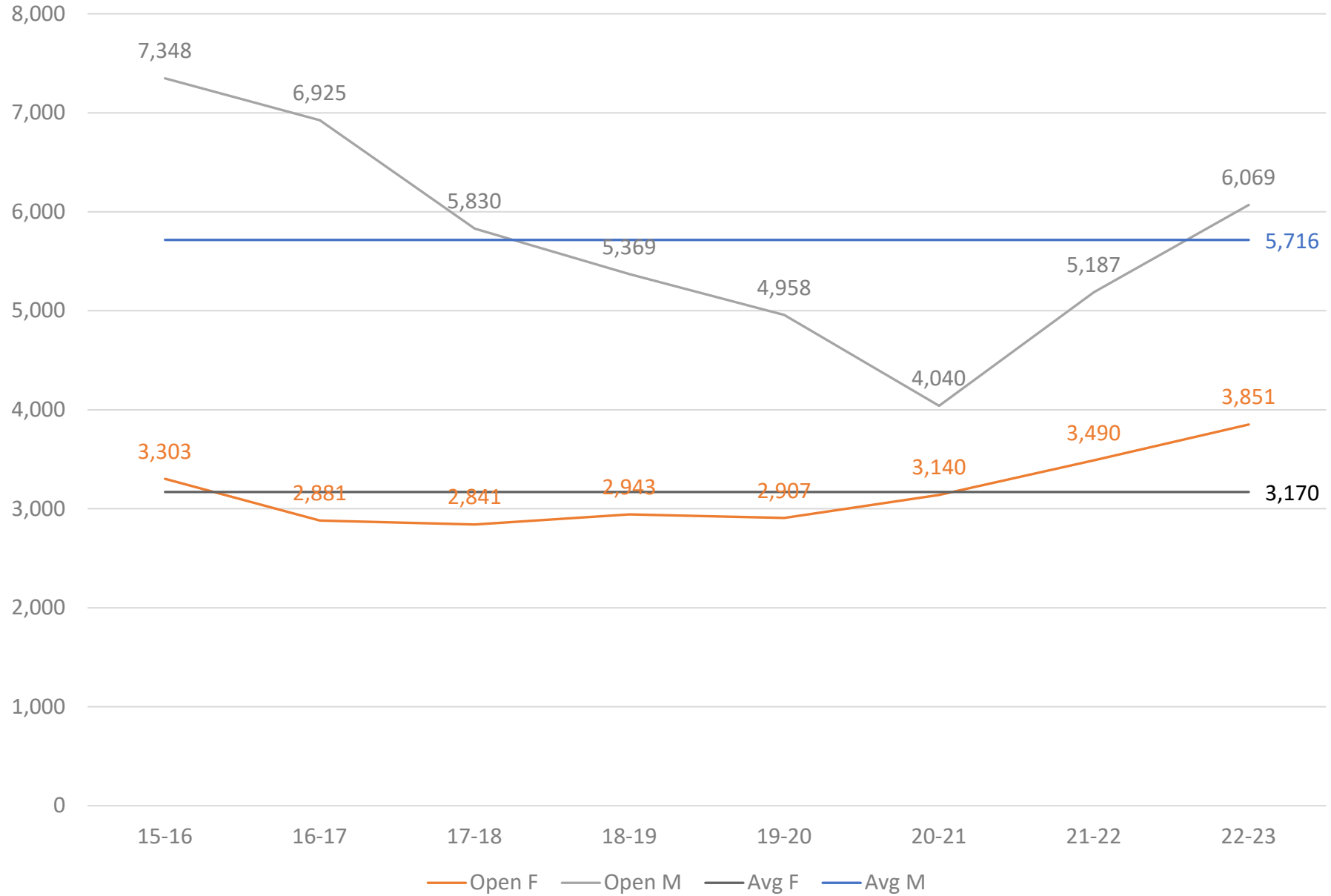
Public Defender: Opened and Reopened Cases Summary with Averages by Fiscal Year



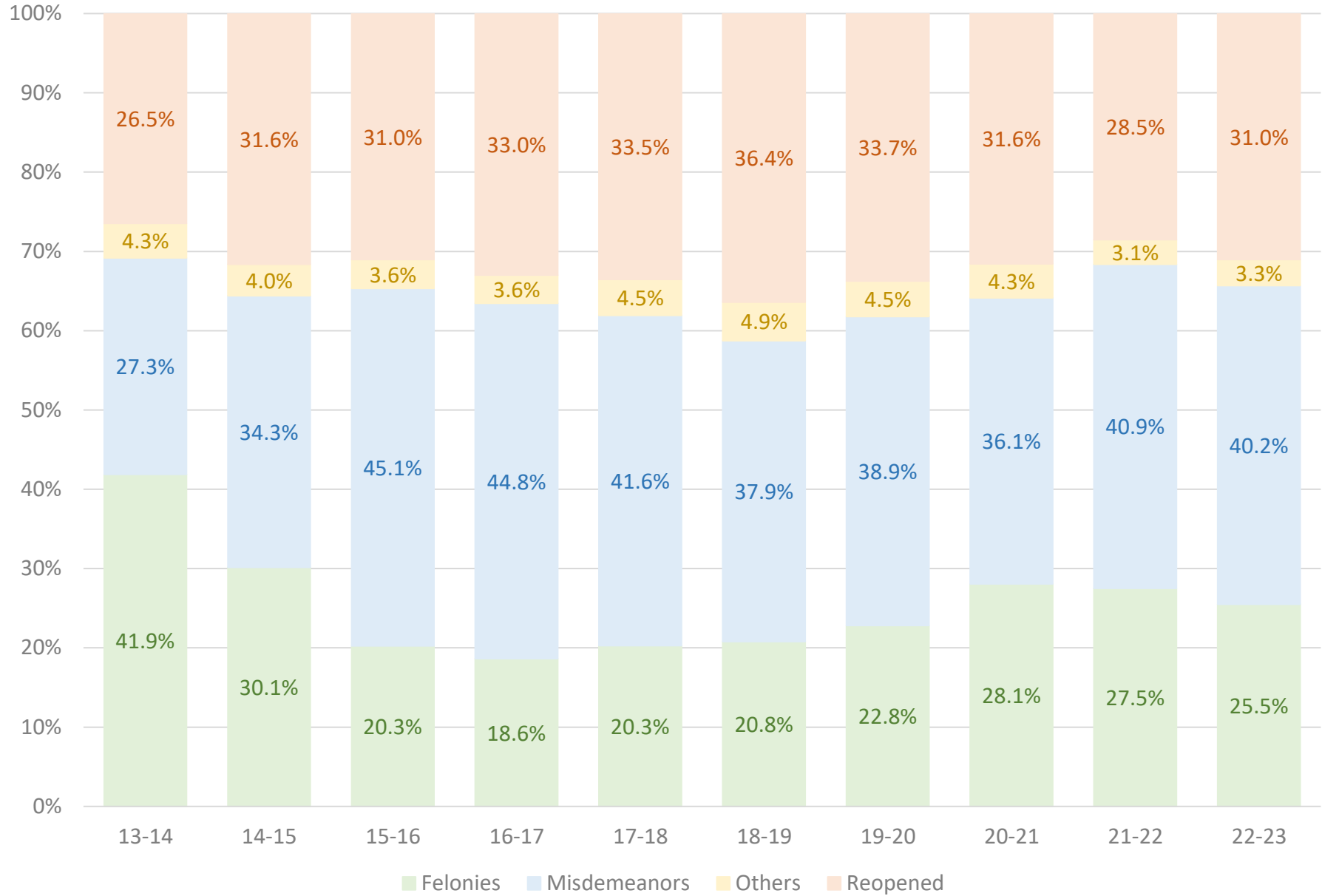
Public Defender: Opened and Reopened Cases Detail by Fiscal Year



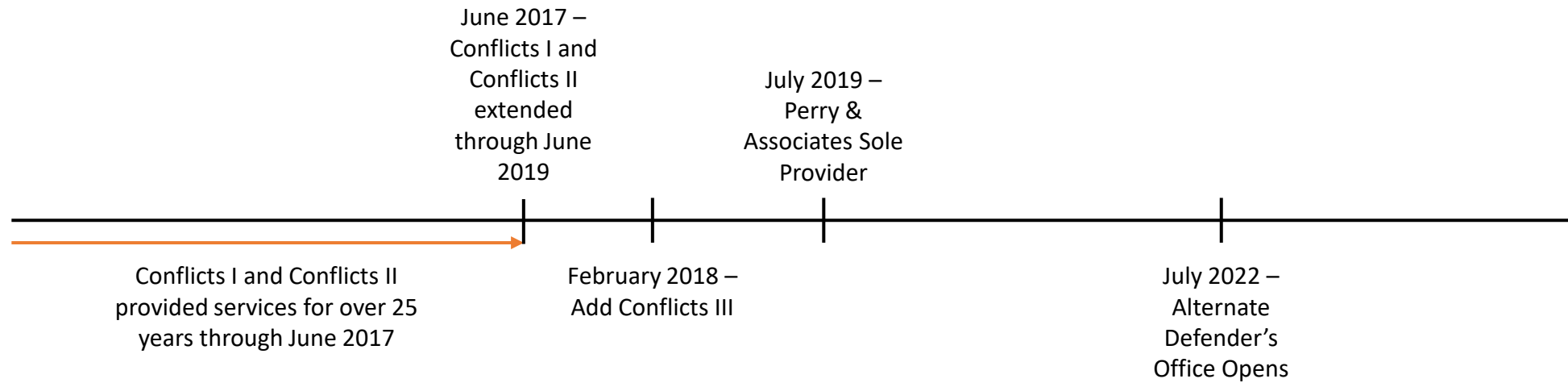
### Public Defender: Opened Felony and Misdemeanor Cases by Fiscal Year



Public Defender: Case Mix by Fiscal Year



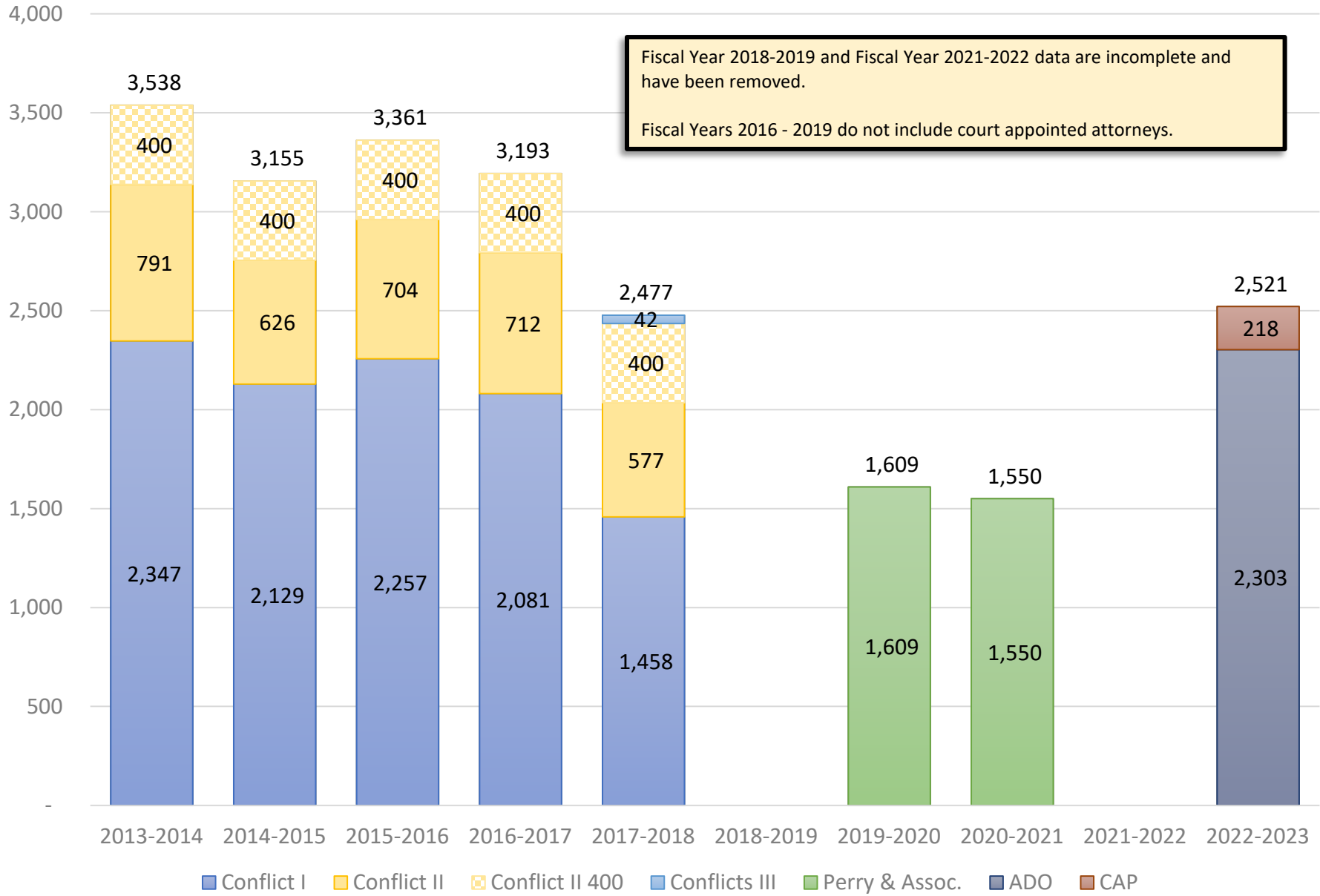
## Conflict Firm History in Stanislaus County



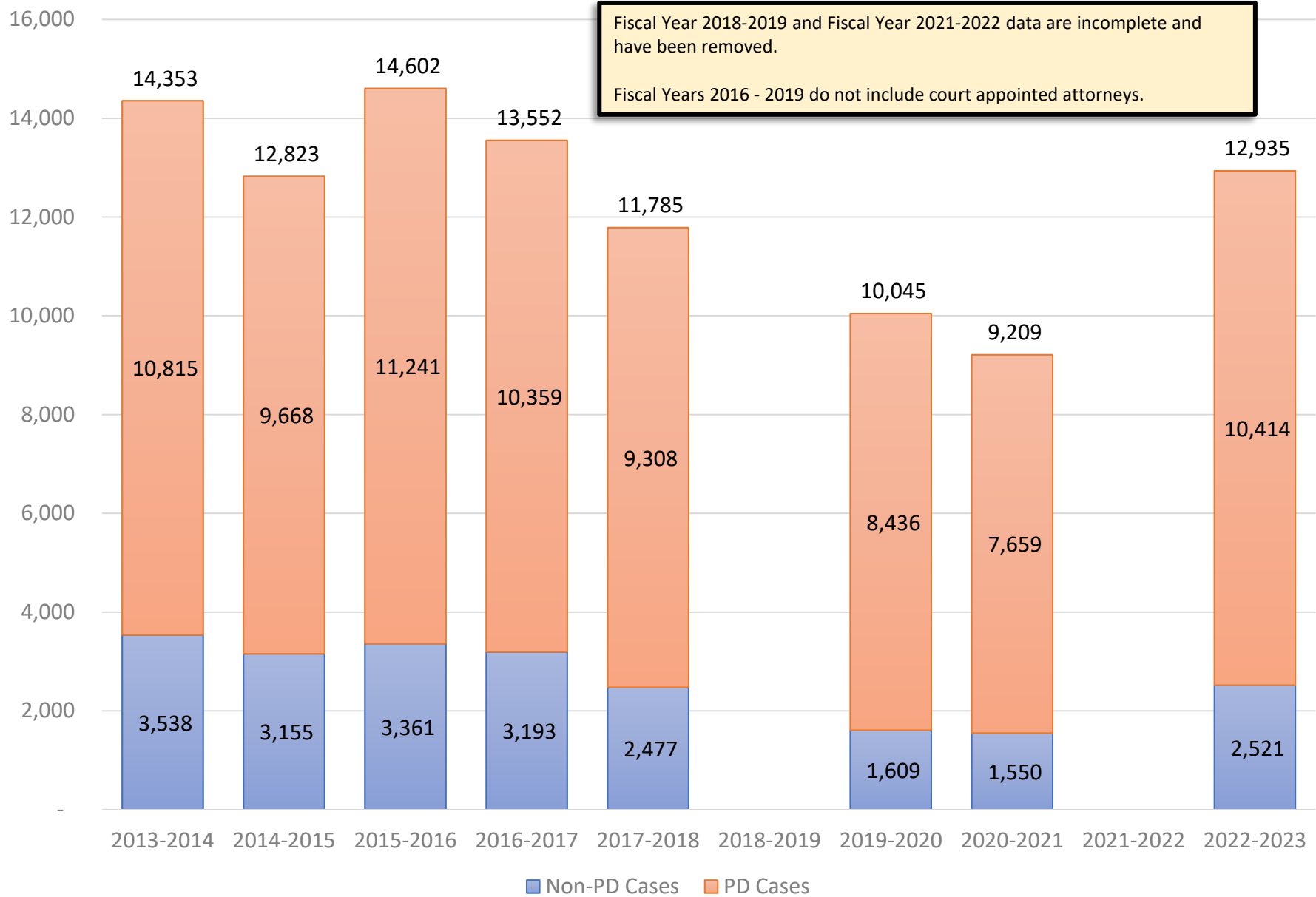
1. Conflict I and Conflict II Agreements – June 13, 2017 ([Board Resolution 2017-297](#)) – Have provided services for over 25 years.
  - a. Conflict II agrees to four hundred (400) felony cases for each twelve (12) month term of the contract. These cases are in addition to any felony cases received through conflict. (Section I., paragraph H)
2. Add Conflicts III – February 6, 2018 ([Board Resolution 2018-0069](#))
3. Agreement with Perry & Associates – June 25, 2019 ([Board Resolution 2019-0434](#)) eff. July 1, 2019
  - a. Parties agree that the total number of cases is uncertain. (Exhibit A, paragraph 3.1)
4. Establish Alternate Defender’s Office – April 5, 2022 ([Board Resolution 2022-0160](#)) eff. July 1, 2022

April 29, 2024

### Conflict Cases by Fiscal Year



### Total Cases Sent to PD that Were Handled by PD or Other Firms by Fiscal Year



Percentage of Cases Sent to PD that Were Handled by PD or Other Firm by Fiscal Year

